

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

FILED ENTERED  
JUDGE RECEIVED

JAMES L. ANDERSON

PLAINTIFF

NOV 22 1999

VS.

H-98-2429

LEAR SIEGLER SERVICES, INC.

AT BALTIMORE  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
DEPUTY

DEFENDANT

MOTION TO CONTINUE

The Defendant, Lear Siegler Services, Inc., moves the court to continue the case from its current trial setting of December 6, 1999, on grounds that its primary witness is now recovering from open-heart surgery and his doctor will not allow him to travel to Baltimore for the trial or sit for a trial deposition in his hometown.

1. Jerry Williams is the defendant's primary witness. As the defendant's motion for summary judgment indicated, Mr. Williams had most of the direct dealings with the plaintiff from August 1996 until his termination on March 1997. A copy of Mr. Williams' declaration (submitted in support of summary judgment) is attached hereto to demonstrate the extent of Mr. Williams' involvement in the plaintiff's later employment history and, termination. Mr. Williams' testimony is critical to the defendant's defense of this case.

2. Mr. Williams had open heart surgery October 28, 1999.

3. The undersigned counsel learned late on the afternoon of November 12, 1999, that Mr. Williams was satisfactorily recovering from his surgery. However, his doctor would not allow him to travel to Baltimore on December 6, 1999, for the trial and further would not allow him to undergo the stress of a trial deposition in his hometown until some time early next year. Mr. Williams

Motion GRANTED this 22nd day of November, 1999.

Senior United States District Judge

AKS

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advised that he expects to get a full release from his doctor sometime early next year.

4. As soon as the defendant can obtain a declaration from Mr. Williams' doctor, it will supplement this motion with a copy. The undersigned has asked the doctor to give a date when he expects that Mr. Williams will be able to testify.

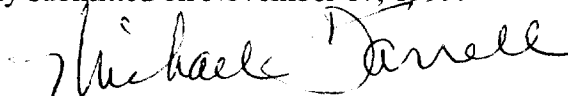
5. The defendant would be severely prejudice without the testimony of Mr. Williams.

6. Since Mr. Williams should be able to travel to Baltimore sometime early next year, the defendant respectfully requests the court to continue the case until sometime thereafter.

7. In a letter to the court dated November 15, 1999, counsel for the plaintiff suggested a referral to a magistrate judge for settlement conferences. The defendant has no objection to that proposal.

For the above reasons, the defendant requests the Court to continue the case from its current setting of December 6, 1999.

Respectfully submitted on November 17, 1999.



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**MICHAEL FARRELL**

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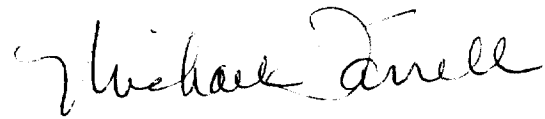
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**COUNSEL FOR DEFENDANT,  
LEAR SIEGLER SERVICES, INC.**

**CERTIFICATE OF SERVICE**

I certify that on November 17, 1999, a copy of this document was served by fax and by  
United States mail upon:

Walter G. Birkel, Esq.  
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A handwritten signature in cursive script, reading "Michael Farrell", written in black ink.

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Michael Farrell